

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**CATHARON INTELLECTUAL
PROPERTY, LLC,**

Plaintiff,

v.

UNITED PARCEL SERVICE, INC.,

Defendant.

Civil Action No. 6:14-cv-00066-KNM

JURY TRIAL DEMANDED

**PLAINTIFF CATHARON INTELLECTUAL PROPERTY, LLC'S ANSWER TO
UNITED PARCEL SERVICE, INC.'S COUNTERCLAIMS**

Plaintiff Catharon Intellectual Property, LLC ("Plaintiff"), answers the Counterclaims of Defendant United Parcel Service, Inc. ("Defendant") (Dkt. No. 9) filed June 4, 2014, by corresponding paragraph number as follows:

COUNTERCLAIMS

NATURE AND BASIS OF ACTION

1. Plaintiff admits that Defendant seeks declaratory judgments of invalidity and non-infringement. However, Plaintiff denies that Defendant is entitled to any such relief.

PARTIES

2. Admitted.

3. Plaintiff admits that it is a Texas limited liability company with its principle place of business in Austin, Texas.

4. Plaintiff admits that this Court has subject matter in regards to Defendant's infringement of U.S. Patent No. 6,065,046 (the "'046 Patent). Except as so admitted, the remaining allegations in paragraph 4 are denied.

5. Plaintiff admits that it has submitted to personal jurisdiction in regards to Defendant's infringement of the '046 Patent. Further, Plaintiff admits that venue is proper in regards to Defendant's infringement of the '046 Patent. Except as so admitted, the remaining allegations in paragraph 5 are denied.

COUNT ONE

Declaration of Non-Infringement of the '046 Patent

6. Plaintiff incorporates herein the allegations of paragraphs 1 through 5 of this Answer to Defendant's Counterclaims.

7. Plaintiff admits that an actual controversy exists as to Defendant's infringement of the '046 Patent. Except as so admitted, Plaintiff denies the remaining allegations in paragraph 7.

8. Denied.

COUNT TWO

Declaration of Invalidity of the '046 Patent

9. Plaintiff incorporates herein the allegations of paragraphs 1 through 5 of this Answer to Defendant's Counterclaims.

10. Plaintiff admits that an actual controversy exists as to Defendant's infringement of the '046 Patent. Except as so admitted, Plaintiff denies the remaining allegations in paragraph 10.

11. Denied.

JURY DEMAND

Defendant's Jury Demand is an averment to which no responsive pleading is required pursuant to FED. R. CIV. P. 8(d) and is therefore denied.

PRAYER FOR JUDGMENT AND RELIEF

Defendant's Prayer for Relief is an averment to which no responsive pleading is required pursuant to FED. R. CIV. P. 8(d) and is therefore denied.

DATED June 25, 2014.

Respectfully submitted,

By: /s/ Stevenson Moore

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**ATTORNEYS FOR PLAINTIFF
CATHARON INTELLECTUAL
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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of June, 2014, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Stevenson Moore

Stevenson Moore